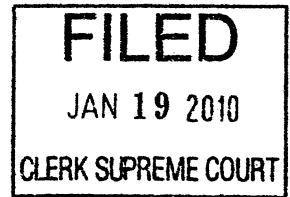


IN THE SUPREME COURT OF IOWA



ORDER

**IN THE MATTER OF THE AMENDMENT TO
IOWA COURT RULES 31.12, 31.13, 31.18,
39.8 AND 41.4.**

By action of this court, Iowa Court Rules 31.12, 31.13, 31.18, 39.8 and 41.4 are amended as shown in the attached document, effective immediately.

Dated this 19th day of January, 2010.

THE SUPREME COURT OF IOWA

By Marsha Ternus
Marsha Ternus, Chief Justice

CHAPTER 31

ADMISSION TO THE BAR

Rule 31.12 Admission of attorneys from other jurisdictions—requirements and fees.

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31.12(2) The applicant shall file the application with the National Conference of Bar Examiners through their online character and fitness application process at <http://www.ncbex.org/ea> unless an exception is granted by the Office of Professional Regulation. The applicant shall pay a nonrefundable administrative fee of ~~\$625~~ \$325 to the Office of Professional Regulation at the time of filing the application. The character investigation services of the National Conference of Bar Examiners shall be procured in all cases where application for admission on motion is made. The applicant shall pay an investigative fee of \$300 to the National Conference of Bar Examiners at the time of filing the application.

...

31.12(3) The application and supporting affidavits, which shall contain specific facts and details as opposed to conclusions and which shall be made before an officer authorized to administer oaths, must demonstrate the following:

~~a. The applicant has a bona fide intention to practice law in Iowa.~~

ab. The applicant has been admitted to the bar of any other state of the United States or the District of Columbia, has practiced law five full years while licensed within the seven years immediately preceding the date of the application, and still holds a license.

be. The applicant is a person of honesty, integrity, and trustworthiness, and one who will adhere to the Iowa Rules of Professional Conduct. In evaluating this factor the court may consider any findings filed with the Office of Professional Regulation by the Commission on the Unauthorized Practice of Law pursuant to Iowa Ct. R. 37.3.

cd. The applicant is not currently subject to lawyer discipline in any other jurisdiction.

Rule 31.13 Proofs of qualifications; oath or affirmation.

31.13(1) *Required certificates, affidavit, and fingerprint card.* The following proofs must be filed with the Office of Professional Regulation to qualify an applicant for admission under rule 31.12:

- a.* A certificate of admission in the applicant's state of licensure.
- b.* A certificate of a clerk or judge of a court of record, or of a judge advocate general or an administrative law judge, that the applicant was regularly engaged in the practice of law in said state for five years. If, due to the nature of the applicant's practice, the applicant cannot obtain a certificate from a clerk, judge, judge advocate general, or an administrative law judge, the applicant shall file a petition seeking leave to file an alternative certificate demonstrating good cause why the certificate cannot be obtained. If the supreme court grants the petition, the applicant shall file an affidavit detailing the nature, dates, and locations of the applicant's practice, along with an affidavit of a supervising attorney or another lawyer attesting to the applicant's practice over that period.
- c.* A certificate of an applicant's good moral character from a judge or clerk of the Iowa district court or of a court where the applicant has practiced within the last five years.
- ~~*d.* An affidavit showing a bona fide intent to practice law in Iowa.~~
- de.* A completed fingerprint card.

Rule 31.18 Licensing and practice of foreign legal consultants.

...

31.18(2) *Application and fee.*

a. The An-applicant under this rule shall file an application for a foreign legal consultant license with the National Conference of Bar Examiners through their online character and fitness application process at <http://www.ncbex.org/ea>, unless an exception is granted by the Office of Professional Regulation. Office of Professional Regulation an application for a foreign legal consultant license, on a form approved by the supreme court, which shall include all of the following: The applicant shall pay an investigative fee of \$600 to the National Conference of Bar Examiners at the time of filing the application.

b. In addition, the applicant shall file the following documents and fee with the Office of Professional Regulation:

~~a.~~ (1) A certificate from the professional body or public authority having final jurisdiction over professional discipline in the foreign country in which the applicant is admitted, certifying the applicant's admission to practice, date of admission, and good standing as a lawyer or counselor at law or the equivalent, and certifying that the applicant has not been disciplined and no charges of professional misconduct are pending, or identifying any disciplinary sanctions that have been imposed upon the applicant or any pending charges, complaints, or grievances;

~~b.~~ (2) A letter of recommendation from one of the members of the executive body of such professional body or public authority or from one of the judges of the highest law court or court of original jurisdiction in the foreign country in which the applicant is admitted;

~~c.~~ (3) Duly authenticated English translations of the certificate required by rule 31.18(2)(a) and the letter required by rule 31.18(2)(b) if they are not in English;

~~d.~~ (4) The requisite documentation establishing the applicant's compliance with the immigration laws of the United States;

~~e.~~ (5) Other evidence as the supreme court may require regarding the applicant's educational and professional qualifications, good moral character and general fitness, and compliance with the requirements of rule 31.18(1); and

f. ~~(6)~~ An administrative ~~application~~ fee of \$400 ~~\$1000~~ payable to the Office of Professional Regulation at the time the application is filed.

CHAPTER 39
CLIENT SECURITY COMMISSION

Rule 39.8 Enforcement.

39.8(1) To facilitate the collection of the annual fee and assessment provided for in rules 39.5 and 39.6, all members of the Iowa bar required to pay the fee and assessment, and those exempted other than by rule 39.7, shall, on or before March 1 of each year, file a statement, on a form prescribed by the director, setting forth their date of admission to practice before the supreme court, their current residence and office addresses, and such other information as the director may from time to time direct. In addition to such statement, every bar member shall file a supplemental statement of any change in the information previously submitted within 30 days of such change. All persons admitted to practice before the supreme court shall file the statement required by this rule at the time of admission but no annual fee or assessment shall be payable until the time above provided. All attorneys failing to file the required statement by March 1 of each year shall, in addition to the annual fee and assessment provided for above, pay a penalty as set forth in the following schedule if the statement is filed after March 1. The penalty fees collected shall be used to pay the costs of administering the fund, or for such other purposes within the Office of Professional Regulation as the supreme court may direct.

Penalty Schedule:

If Filed:	Penalty:
After March 1 but before April 2	\$100
After April 1 but before May 2	\$150
After May 1	\$200

CHAPTER 41

CONTINUING LEGAL EDUCATION FOR LAWYERS

Rule 41.4 Annual fee and report by attorneys to commission.

41.4(1) On or before March 1 of each year, each attorney admitted to practice in this state shall pay to the commission a prescribed fee for costs of administering this chapter.

41.4(2) On or before March 1 of each year, each attorney admitted to practice in this state shall make a written report to the commission, in such form as the commission shall prescribe, concerning completion of accredited legal education during the preceding calendar year; provided, however, that an attorney shall not be required to comply with this rule nor comply with the continuing legal education requirements set forth in rule 41.3 for the year during which the attorney was admitted to practice. Each annual report shall be accompanied by proof satisfactory to the commission that the attorney has met the requirements for continuing legal education for the calendar year for which such report is made.

41.4(3) Each attorney admitted to practice in this state shall make a written report to the commission, in such form as the commission shall prescribe, concerning completion of accredited legal ethics education. The report is to be filed on or before March 1 following completion of each two-year period under the requirement. An attorney shall not be required to comply with this requirement for the year of admission to practice.

41.4(4) All attorneys who fail by March 1 of each year to file the annual report or to pay the prescribed fee shall, in addition, pay a penalty as set forth in the following schedule if either the annual report is filed or the prescribed fee is paid after March 1. The penalty fees collected shall be used to pay the costs of administering this chapter, or for such other purposes within the Office of Professional Regulation as the supreme court may direct.

Penalty Schedule:

If Filed:	Penalty:
After March 1 but before April 2	\$100
After April 1 but before May 2	\$150
After May 1	\$200

41.4(5) The commission may prescribe in electronic format for the annual report and require submission of the report in that form.